

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, June 24, 2014

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members David Duax, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, and Andrew Werthmann.

Absent: Council Members Eric Larsen and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, June 24, 2014:

- Adopting the Consent Agenda.
- Approving Minutes of Regular Meeting of June 10, 2014.
- Granting new bartender licenses.
- Granting the renewal of bartender licenses for the 2014-2016 licensing period.
- Granting the renewal of Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses for the 2014-2015 licensing period.
- Granting the renewal of Reserve Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses for the 2014-2015 licensing period.
- Granting the renewal of Class B Fermented Malt Beverage licenses for the 2014-2015 licensing period.
- Granting the renewal of Class C Wine licenses for the 2014-2015 licensing period.
- Granting a Class B Cabaret license to Fuji Sushi & Hibachi Eau Claire, Inc., d/b/a Fuji Steakhouse, 4864 Keystone Crossing, Ting K. Cheng, agent.)
- Granting Change of Agent for the Combination Class B Intoxicating Liquor and Fermented Malt Beverage license of Eau Claire Lodge No 402 Benevolent and Protective Order of Elks of the United States of America, Inc., d/b/a Elks Lodge #402, 3411 Stein Blvd., from Clyde A. Hulbert to Stephen P. Boyle.
- Granting Change of Agent for the Class B Fermented Malt Beverage & Class C Wine license of Eau Claire Mongrill, Inc., d/b/a HuHot Mongolian Grill, 3805 S. Oakwood Mall Dr., from Adam J. Schroeder to Katie L. McKernon.
- Authorizing the City of Eau Claire and the Eau Claire Fastpitch League to conduct the Eau Claire Fast Pitch Classic on June 27-29, 2014 at the Carson Park and Bollinger softball fields.
- Authorizing the Eau Claire American Legion Baseball Association, Inc. to conduct the River City Classic American Legion Baseball Tournament on July 11-13, 2014 at the Carson Park Baseball Stadium.
- Authorizing the Eau Claire Babe Ruth League, Inc. to conduct the State Babe Ruth 14-Year-Old Tournament on July 12-16, 2014 at the Mount Simon Babe Ruth Complex.

- Authorizing City of Eau Claire Parks, Recreation, and Forestry Department to conduct the Tri Eau Claire Run Row Ride on Saturday, August 2, 2014 at Hobbs Ice Center, Phoenix Park and along city roads, trails, sidewalks and waterways.
- Authorizing Downtown Eau Claire, Inc. to conduct Eau Claire's Summer Fest and Family Night in the Park on Saturday, August 2, 2014 in Phoenix Park and along city streets and sidewalks.
- Establishing a public hearing regarding the City's intention to order the repair of sidewalk according to State Statute 66.0907 at 23 locations beginning with 1503 Frederic Street, Parcel No. 03-0776.

Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer "to adopt the consent resolution". Said motion passed by unanimous vote.

PROCLAMATIONS

Council President Kincaid, on behalf of the City Council, proclaimed July as Parks and Recreation Month and also congratulated the Department for being selected as a National Recreation and Parks Association Gold Medal Finalist.

Steve Thompson, President of the State Parks and Recreation Association and past President of the National Parks and Recreation Association awarded a trophy to Phil Fieber and the Eau Claire Parks and Forestry staff in honor of their Gold Medal Finalist status.

Council President Kincaid, on behalf of the City Council, announced that the City has been named a 2014 All-America City by the National Civic League.

ECONOMIC DEVELOPMENT

The Council considered a resolution approving the 2014-2016 Economic Development Policy Priorities. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden "to adopt the resolution". Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Mitchell to "consider the 3rd draft copy of the 2014-2016 Economic Development Policy Priorities which was received today".

Council Member Xiong arrived at 4:25pm.

Thereupon a motion was offered by Council Member Von Haden to "amend H4 replacing the word 'for' with the word 'including' to read as '*Pursue innovative public-private partnerships and joint ventures, including community performance arts facilities, arenas and convention centers*' ". Said motion was accepted as a friendly amendment.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis to "strike C6 '*Encourage minority entrepreneurs including Women Entrepreneurs and Ethnic groups*' ". Motion failed by the following vote: Aye: Council Members Lewis, Strobel, Von Haden. Nay: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Mitchell, Werthmann, and Xiong.

Council Member Larsen arrived at 4:35pm.

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Lewis to “strike the word ‘*minority*’ in C6 and add the words ‘*persons with disabilities*’ to read as ‘*Encourage entrepreneurs including Women Entrepreneurs, Ethnic Groups and Persons with Disabilities*’ “. Motion failed by the following vote: Aye: Council Members Duax, Emmanuelle, Lewis, Von Haden, and Werthmann. Nay: Council Members Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, and Xiong.

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Strobel: “to add the words ‘*Evaluate downtown parking needs and consider*’ in E6 to read as ‘*Evaluate downtown parking needs and consider parking ramps in place of surface lots where appropriate*’ “. Thereupon a motion was offered by Council Member Lewis to “change the word ‘*consider*’ to ‘*support*’ in E6 to read as ‘*Evaluate downtown parking needs and support parking ramps in place of surface lots where appropriate*’ “. Said motion was accepted as a friendly amendment. The council then voted on the amended motion. Motion passed by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Von Haden, Werthmann and Xiong. Nay: Council Member Emmanuelle.

Thereupon a motion was offered by Council Member Duax to “replace the word ‘*direct*’ with the word ‘*encourage*’ and add the words ‘*utilize the*’ in E9 to read as ‘*Identify blighted and rundown properties appropriate for façade enhancement and encourage them to utilize the appropriate resources to make improvements*’ “. Said motion was not accepted as a friendly amendment.

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Von Haden to “replace the word ‘*direct*’ with the word ‘*encourage*’ in E9 to read as ‘*Identify blighted and rundown properties appropriate for façade enhancement and encourage them to appropriate resources to make improvements*’ “. Thereupon a motion was offered by Council Member Strobel to “strike the word ‘*blighted*’ in E9“. Said motion was accepted as a friendly amendment. After discussion, said motion was withdrawn by Council Member Strobel. Motion failed by the following vote: Aye: Council Members Duax, Lewis, Von Haden, and Xiong. Nay: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, and Werthmann.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis to “strike the word ‘*blighted*’ in E9 to read as ‘*Identify rundown properties appropriate for façade enhancement and direct them to appropriate resources to make improvements*’ “. Thereupon a motion was offered by Council Member Lewis to “strike the words ‘*blighted and rundown*’ in E9 to read as ‘*Identify properties appropriate for façade enhancement and direct them to appropriate resources to make improvements*’ “. Said motion was accepted as a friendly amendment. The council then voted on the amended motion. Motion passed by the following vote: Aye: Council Members Duax, Klinkhammer, Larsen, Lewis, Strobel, Von Haden, and Xiong. Nay: Council Members Emmanuelle, Kincaid, Mitchell, and Werthmann.

Council Member Duax noted the street name “Hastings Avenue” was incorrectly printed in D4 and should be “Hastings Way”. Said correction was accepted by unanimous voice vote.

Thereupon a motion was offered by Council Member Duax to “delete the words ‘County T’ in D4”. Said motion died for lack of a second.

The Council then voted on the original resolution approving the “3rd draft” copy of the 2014 - 2016 Economic Development Policy Priorities as amended. Resolution was passed by the following vote: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Von Haden, Werthmann and Xiong. Nay: Council Member Lewis.

CVTC LOAN

The Council considered a resolution certifying that the terms and conditions of a Promissory Note to Chippewa Valley Technical College have been met and the \$166,667 loan is forgiven. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Werthmann and Xiong. Nay: Council Members Duax, and Von Haden.

INITIAL RESOLUTIONS – BOND & NOTES

The Council considered an Initial Resolution authorizing not to exceed \$4,225,000 aggregate principal amount of General Obligation Promissory Notes of the City of Eau Claire, Eau Claire and Chippewa Counties, Wisconsin for streets and street improvements, Land, Building, and Equipment for City Hall complex updates, and the refunding of certain outstanding obligations of the City. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered an Initial Resolution authorizing not to exceed \$3,720,000 aggregate principal amount of General Obligation Bonds of the City of Eau Claire, Eau Claire and Chippewa Counties, Wisconsin for streets, street improvements and street lighting. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered an Initial Resolution authorizing not to exceed \$1,000,000 aggregate principal amount of General Obligation Bonds of the City of Eau Claire, Eau Claire and Chippewa Counties, Wisconsin for storm water and sewer purposes. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous vote.

SIDEWALK DEFERAL

The Council considered a resolution deferring sidewalk on the north side of Brian Street, from S.T.H. 93 to Lever Street. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Lewis “to adopt the resolution”. Said motion passed by the

following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Von Haden, and Xiong. Nay: Council Members Emmanuelle and Werthmann.

YARD SETBACKS

The Council considered an ordinance creating special setbacks for the front yard area of certain lots along Monte Carlo Drive for the Skyline West Subdivision as shown on Planning File #Z-1544-14. The City had received correspondence from the applicant indicating that they wish to withdraw their application. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to postpone indefinitely consideration of said ordinance.” Said motion passed by unanimous voice vote.

E-CIGARETTES

The Council had first reading on an ordinance amending Section 9.38 entitled “Smoking” of the City Code of Ordinances of the City of Eau Claire to prohibit the use of E-Cigarettes on City-owned property.

ADJOURNMENT

A motion was offered by Council Member Strobel and seconded by Council Member Xiong “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: June 24, 2014

Time: 6:15 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Cynthia Anderson, Deputy City Clerk